

**This document has been electronically entered in the records of the United States Bankruptcy Court for the Southern District of Ohio.**

**IT IS SO ORDERED.**

**Dated: July 22, 2023**



Mina Nami Khorrami  
United States Bankruptcy Judge

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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION AT COLUMBUS

In re:	)	Case No. 22-51317
	)	
JERICA SHERISE TURNER,	)	Chapter 7
	)	
Debtor.	)	Judge Nami Khorrami
	)	
	)	

ANDREW R. VARA	)	Adv. Proc. Case No. 23-02031
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
GENERAL TOWING AND STORAGE, LLC,	)	
	)	
Defendant	)	
	)	

**STIPULATION AND AGREED ORDER RESOLVING**  
**THE UNITED STATES TRUSTEE'S COMPLAINT FOR INJUNCTIVE,**  
**MONETARY, AND OTHER RELIEF (AP Docket No. 1)**

This case came on for consideration upon agreement of the Parties. The United States Trustee ("U.S. Trustee") is represented by Pamela Arndt, and General Towing and Storage, LLC is represented by Steve R. Freeman.

The Parties enter into the following Stipulations:

1. Jerica Sherise Turner (“Turner” or “Debtor”) filed a Voluntary Petition under Chapter 7 of the Bankruptcy Code on May 9, 2022 (Docket No. 1);
2. Debtor’s Discharge was granted on August 22, 2022 (Docket No. 25), and the case closed September 7, 2022 (Virtual Entry);
3. Upon learning of a potential issue with Defendant General Towing & Storage, LLC (“General Towing” or “Defendant”), the U.S. Trustee filed a Motion to reopen the case (Docket No. 27) which was granted on December 27, 2022 (Docket No. 29);
4. The U.S. Trustee commenced this Adversary Proceeding on May 25, 2023 (Docket No. 31; AP Docket No. 1). Defendant was served with a copy of the Summons and Complaint (AP Docket Nos. 2 and 3). Defendant communicated informally with the U.S. Trustee in lieu of filing an Answer;
5. The Parties agree that Defendant violated the automatic stay imposed by 11 U.S.C. §362 by soliciting Debtor to turn possession over of a 2013 Chevrolet Traverse with a Fair Market Value of \$8,225 (“Collateral;” *see*, Docket No. 1, Schedule A/B, ¶3) to Defendant. Defendant further violated the automatic stay imposed by 11 U.S.C. §362 by taking possession the Collateral;
6. The Parties agree that Defendant is permanently enjoined in the Southern District of Ohio from doing the following without relief from the automatic stay: sending letters to debtors; taking possession of property of bankruptcy estates; taking actions to create and perfect liens on property of bankruptcy estates, and towing and storing property of bankruptcy estates; and
7. The Parties agree that within 14 days of entry of this Order, Defendant shall forward the sum of \$8,225 to Credit Acceptance Corporation, the Secured Creditor of the Collateral. The funds shall be made payable to Credit Acceptance Corporation, and mailed to Credit Acceptance Corporation, Attn: Butch Haesche, Senior Bankruptcy Manager, 25505 West Twelve Mile Road, Southfield, MI 48034.

In light of the Stipulations, the Court finds this Agreed Order Resolving the U.S. Trustee’s Complaint well taken.

Good cause appearing, therefore:

**IT IS HEREBY ORDERED** that General Towing and Storage, LLC, whether directly, indirectly, or through any successors or assigns, is permanently enjoined in the Southern District of Ohio from doing the following without relief from the automatic stay: sending letters to debtors; taking possession of property of bankruptcy estates; taking actions to create and perfect liens on property of bankruptcy estates, and towing and storing property of bankruptcy estates.

**IT IS FURTHER ORDERED** that within 14 days from entry of this Order, General Towing and Storage, LLC shall forward the sum of \$8,225 to Credit Acceptance Corporation, the Secured Creditor of the Collateral. The funds shall be made payable to Credit Acceptance Corporation, and mailed to Credit Acceptance Corporation, Attn: Butch Haesche, Senior Bankruptcy Manager, 25505 West Twelve Mile Road, Southfield, MI 48034, without asserting any additional charges.

**IT IS FURTHER ORDERED** that within 21 days from entry of this Order, General Towing and Storage, LLC shall file a Report to Court with evidence of compliance with this Order.

**IT IS FURTHER ORDERED** that the Court retains jurisdiction of this matter in the event General Towing and Storage, LLC does not fully comply with this Order.

**IT IS FURTHER ORDERED** that each party shall bear their own costs.

**IT IS SO ORDERED.**

AGREED TO AND SUBMITTED BY:

Andrew R. Vara  
United States Trustee for Regions 3 and 9

*/s/ Pamela Arndt*  
Pamela Arndt (0068230)  
U.S. Department of Justice, U.S. Trustee Program  
170 North High Street, Suite 200  
Columbus, OH 43215  
Telephone: (614) 469-7415  
Facsimile: (614) 469-7448  
E-mail: Pamela.D.Arndt@usdoj.gov  
*Attorney for the United States Trustee*

/s/ Steve R. Freeman – permission for electronic signature granted via email 7/18/23

Steve R. Freeman (MD: AIS#8212010138)

Freeman Associates, LLC

PNC Bank Building

409 Washington Avenue, Suite 200

Towson, MD 21204

Telephone: (410) 842-6600

E-mail: srf@freemanlaw.us

*Attorney for General Towing and Storage, LLC*

/s/ James A. Coutinho – permission for electronic signature granted via email 7/11/23

James A. Coutinho (0082430)

Allen Stovall Neuman & Ashton LLP

10 West Broad Street, Suite 2400

Columbus, OH 43215

Telephone: (614) 221-8500

Facsimile: (614) 221-5988

Email: coutinho@asnalaaw.com

*Chapter 7 Panel Trustee*

/s/ James Mackey – permission for electronic signature granted via email 7/18/23

James Mackey (0096715)

The Legal Aid Society of Columbus

1108 City Park Avenue

Columbus, OH 43206

Telephone: (614) 737-0136

Email: jmackey@columbuslegalaid.org

*Attorney for Debtor*

/s/ Cynthia A. Jeffrey – permission for electronic signature granted via email 7/18/23

Cynthia A. Jeffrey (0062718)

Keith D. Weiner & Associates Co., L.P.A.

The Oswald Center

1100 Superior Avenue East, Suite 1100

Cleveland, Ohio 44114

Telephone: (216) 771-6500 ext. 111

Cellular: (440) 759-7677

Email: cjeffrey@weinerlaw.com

*Attorney for Secured Creditor, Credit Acceptance Corporation*

COPIES TO:

Pamela Arndt, Esq.

Steve R. Freeman, Esq.  
Freeman Associates, LLC  
PNC Bank Building  
409 Washington Avenue, Suite 200  
Towson, MD 21204

James A. Coutinho, Esq.  
Allen Stovall Neuman & Ashton LLP  
10 West Broad Street, Suite 2400  
Columbus, OH 43215

James Mackey, Esq.  
The Legal Aid Society of Columbus  
1108 City Park Avenue  
Columbus, OH 43206

Cynthia A. Jeffrey, Esq.  
Keith D. Weiner & Associates Co., L.P.A.  
The Oswald Center  
1100 Superior Avenue East, Suite 1100  
Cleveland, Ohio 44114

General Towing and Storage, LLC  
4444D Solomon's Island Road  
Harwood, MD 20776

Vara,

Plaintiff

Adv. Proc. No. 23-02031-mnk

General Towing and Storage, LLC,

Defendant

**CERTIFICATE OF NOTICE**

District/off: 0648-2

User: ad

Page 1 of 2

Date Rcvd: Jul 24, 2023

Form ID: pdf01

Total Noticed: 6

The following symbols are used throughout this certificate:

**Symbol**

**Definition**

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 26, 2023:****Recip ID****Recipient Name and Address**

dft

- + Cynthia A. Jeffrey, Esq., Keith D. Weiner & Associates Co., L.P.A., The Oswald Center, 1100 Superior Avenue East, Suite 1100, Cleveland, OH 44114-2520
- + General Towing and Storage, LLC, 4444D Solomon's Island Road, Harwood, MD 20776-9506
- + James A. Coutinho, Esq., Allen Stovall Neuman & Ashton LLP, 10 West Broad Street, Suite 2400, Columbus, OH 43215-3469
- + James Mackey, Esq., The Legal Aid Society of Columbus, 1108 City Park Avenue, Columbus, OH 43206-3583
- + Steve R. Freeman, Esq., Freeman Associates, LLC, PNC Bank Building, 409 Washington Avenue, Suite 200, Towson, MD 21204-4914

TOTAL: 5

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

**Recip ID****Notice Type: Email Address****Date/Time****Recipient Name and Address**

ust

- + Email/Text: ustregion09.cb.ecf@usdoj.gov

Jul 24 2023 18:41:00

Asst US Trustee (Col), Office of the US Trustee,  
170 North High Street, Suite 200, Columbus, OH  
43215-2417

TOTAL: 1

**BYPASSED RECIPIENTS**

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

**NOTICE CERTIFICATION**

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 26, 2023

Signature: /s/Gustava Winters**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 24, 2023 at the address(es) listed below:

**Name****Email Address**

Pamela Arndt

on behalf of Plaintiff Andrew R Vara Pamela.D.Arndt@usdoj.gov

District/off: 0648-2

User: ad

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Date Rcvd: Jul 24, 2023

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TOTAL: 1